

## REMARKS

This response is submitted in response to the final Office Action dated June 7, 2007. Claims 1, 6, 7, 9, 10 and 15-17 have been amended. Claims 18-21 are newly added. No new matter is added.

### 35 USC §102(e) and 103(a) Rejections

The Office Action rejects Claims 1, 2, 4-6 and 8 under 35 USC §102(e) as being anticipated by Hazama (US Patent No. 5,971,589). The Office Action rejects Claims 3, 7, 9-10, 12, 14, 15 and 18 under 35 USC § 103(a) as being unpatentable over Hazama. Applicants respectfully submit that Claims 1, 6, 7, 9 and 10 have been amended to traverse such rejections.

Claim 1 now reads, in part, “retrieving at least one stored data item based on the sensing means sensing at least one of the plurality of surrounding contexts currently being sensed by the sensing means in the particular environment.” Claims 6, 7, 9 and 10 contain similar language.

The amendments are fully supported by the specification. For example, see the specification in paragraphs 101 – 104 stating, in part, “the image processing unit 61 identifies the object (e.g., VCR) 51 based on the supplied visual ID ... the control unit 65 transmits the supplied position data and object data to the server ... from the database 12a, the voice data corresponding to the received position data and object data.” The VCR object is identical to the VCR object that the data was originally associated with.

The ability to sense the original object and recall the data associated with that object is beneficial in that it allows a user to uniquely associate data, and for accurate retrieval of that data.

The reference Hazama is directed towards associating data with objects. However, the reference Hazama does not disclose or suggest sensing at least one identical surrounding context and then retrieving the associated item, as is claimed and fully supported by the specification. Instead, in Hazama the data is retrieved at terminals based on the operator requesting the information or the creator sending the information to a specific terminal.

For at least the foregoing reasons the Applicants respectfully submit that Claims 1, 6, 7, 9 and 10, and the Claims that depend therefrom, are patentably distinguishable and in condition for allowance.

### **New Claims**

Claims 18-21 are newly added. Claim 18 now reads, "A method of Claim 1, wherein the position level context is calculated based on observed electric field intensity." Claim 19-21 contain similar language. The new claims are fully supported by the specification. For example, see paragraph 210 stating, in part, "In the method of employing, as a 'position' of convenience, a pair of base station ID and electric field intensity, a "distance" of convenience can be calculated with similarity calculation made between one pair and another pair of base station ID and electric field intensity which is observed later."

Calculating position level context based on observed electric field intensity allows for a more precise measurement of location.

The prior art does not teach or suggest calculating a position level context or location data based on observed electric field intensity. Therefore, Applicants submit that Claims 18-21 are patentably distinguishable and in condition for allowance.

### **Other Amendments**

Claims 15-17 have been amended to correct a clerical error. The claims now properly reads, "An apparatus" instead of "A method."

This claim change should not be construed as narrowing and/or disclaiming any claimed subject matter in view of same.

In light of the above, the Applicants respectfully submit that all the pending claims are in condition for allowance; thus, a timely Notice of Allowance is respectfully requested. The Director is authorized to charge and credit Deposit Account No. 02-1818 for any additional fees associated with the submission of this Amendment, including any time extension fees. Please reference docket number 112857-434.

Respectfully submitted,

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